

John F. Turant Jr.  
Name  
  
11851-067  
Prison Number

FILED RECEIVED  
ENTERED SERVED ON  
JAN 31 2008  
DISTRICT COURT  
DISTRICT OF NEVADA  
BY \_\_\_\_\_ CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

John F. Turant Jr., )  
Plaintiff, )  
vs. )  
Thomas Cook Esq., )  
Defendant(s). )

2:08-cv-00132-RLH-PAL

CIVIL RIGHTS COMPLAINT  
PURSUANT TO  
42 U.S.C. § 1983

A. JURISDICTION

- 1) This complaint alleges that the civil rights of Plaintiff, John F. Turant Jr.,  
(Print Plaintiff's name)  
who presently resides at MDC Brooklyn Brooklyn, N.Y., were  
violated by the actions of the below named individuals which were directed against  
Plaintiff at SEC Philadelphia, Pa. FBI Pa. on the following dates  
(institution/city where violation occurred)  
April 14-15 2003, May 15, 2003, and \_\_\_\_\_  
(Count I) (Count II) (Count III)

**Make a copy of this page to provide the below  
information if you are naming more than five (5) defendants**

2) Defendant Thomas C. Cook Esq. resides at 4955 S. Durango Dr. Las Vegas, Nevada  
(full name of first defendant) (address if first defendant)  
and is employed as Securities Atty. Pres. This defendant is sued in his/her  
(defendant's position and title, if any)  
XX individual XX official capacity. (Check one or both). Explain how this defendant was  
acting

under color of law: Representing Attorney at SEC Deposition and  
F.B.I. Investigation

3) Defendant \_\_\_\_\_ resides at \_\_\_\_\_  
(full name of first defendant) (address if first defendant)  
and is employed as \_\_\_\_\_. This defendant is sued in his/her  
(defendant's position and title, if any)  
\_\_\_\_ individual \_\_\_\_ official capacity. (Check one or both). Explain how this defendant was  
acting

under color of law: \_\_\_\_\_  
\_\_\_\_\_

4) Defendant \_\_\_\_\_ resides at \_\_\_\_\_  
(full name of first defendant) (address if first defendant)  
and is employed as \_\_\_\_\_. This defendant is sued in his/her  
(defendant's position and title, if any)  
\_\_\_\_ individual \_\_\_\_ official capacity. (Check one or both). Explain how this defendant was  
acting

under color of law: \_\_\_\_\_  
\_\_\_\_\_

5) Defendant \_\_\_\_\_ resides at \_\_\_\_\_  
(full name of first defendant) (address if first defendant)  
and is employed as \_\_\_\_\_. This defendant is sued in his/her  
(defendant's position and title, if any)  
\_\_\_\_ individual \_\_\_\_ official capacity. (Check one or both). Explain how this defendant was  
acting

under color of law: \_\_\_\_\_  
\_\_\_\_\_

6) Defendant \_\_\_\_\_ resides at \_\_\_\_\_,  
(full name of first defendant) (address if first defendant)  
and is employed as \_\_\_\_\_. This defendant is sued in his/her  
(defendant's position and title, if any)  
\_\_\_\_ individual \_\_\_\_ official capacity. (Check one or both). Explain how this defendant was  
acting  
under color of law: \_\_\_\_\_  
\_\_\_\_\_

7) Jurisdiction is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983. If you wish  
to assert jurisdiction under different or additional statutes, list them below.  
\_\_\_\_\_  
\_\_\_\_\_

-----  
**B. NATURE OF THE CASE**

1) Briefly state the background of your case.

Mr. Thomas Cooks' representing of myself in two hearings. One by the Securities  
Exchange Commission in Philadelphia on April 14-15, 2003 and also at a  
F.B.I. informal hearing on May 15, 2003. These are where I allege that three  
violations took place. 1) Breach Of Fiduciary Responsibilities 2) negligence  
3) Willful Negligence. As well as representing me as an attorney with  
not being registered in the state of Pennsylvania as one.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-----  
**C. CAUSE OF ACTION**

**COUNT I**

The following civil rights has been violated: 1) Breach of Fiduciary  
Responsibility. 2) Negligence. 3) Willful Negligence

---

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

On April 13, 2003 Mr. Cook (attorney), Mr. Russ Luciano( co-defendant)  
Mr. Karl Germick (co-defendant) and myself were discussing what kind of defense  
should be taken for the following days hearing with The Federal Securities Exchange  
Commission in Philadelphia. I, John Turant was going into the hearing and take the  
blame or responsibility for the mishap that occurred. Thomas Cook advised me that  
the only thing that could happen to me was to be sanctioned and fined but the bussiness  
would still be able to operate . Mr. Germick and Mr. Luciano were told to downplay  
their roles in the ordeal according to Mr. Cooks' advice. Previous to this we were  
instructed to send in all of our records to the SEC for the hearing that was coming  
up in several days. Mr. Cook knew that these documents could the companies as well  
as ourselves. When we went to the hearing in Philadelphia on the 14 of April, Mr. Luciano  
and Mr. Germick were to testify or give their depositions and I was to give mine  
on the 15. Before I went into the hearing Mr. Cook once again instructed me not to  
talk about a company called California Software. This was a company that Mr. Cook  
was the attorney on record for underwriting of the companies secondary offering.  
He also worked for a securities firm named Campbell Mello that was the lead company  
on the secondary. Needless to say the stock was a fraud that my company lost or "invested"  
\$250,000.00 in which our clients lost. I told him ok since he was the legal counsel  
paid to represent me and the companies. In this hearing or lynching as I would call

(See Attached)

Attached Count 1

would called it. Mr. Cook never objected to any questions that were posed by the SEC attorney Ms. Debra Segal. Many of the questions did not even pertain to securities. I was amazed and baffled that he never objected or stepped in and said to me to plead the fifth admendment on some of these questions. I did exactly as he said to skirt around Califronia Software. I slowly sat and buried myself into oblivian, This is documented in Governments exhibit one in my 2255 filing. It is a 172 page testimony or confession. This gave me a leadership role in the crime as well as lying to a government official.

COUNT II

The following civil rights has been violated: 1) Breach of Fiduciary Responsibility  
2) Negligence 3) Willful Negligence . This was at the first meeting with  
SA John Bates And AUSA Bruce Brandler at F.B.I. headquarters in Scranton

Pensylvainia

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

At this meeting they meaning the F.B.I. and the AUSA were only interested  
in talking to myself and Mr. Luciano We were instructed by attorney Cook to pretty  
much say the same thing that we did at the earlier hearing with the SEC. Once  
again I was told to stay away from California Software. I went into this meeting  
lied under attorney cooks' cues. Once again I was sealing my fate without even knowing  
it. Since I never involved with the law I thought it was part of the proceedings  
that were to follow. At the end of the meeting I was handed a generic plea agreement  
and said that I had two weeks to sign it. Of course I turned it over to Mr. Cook  
for his review. I did not here from him for about ten days until I called him to  
ask for his advice. He told me at that time that I needed to get a criminal attorney  
to handle this matter. I also found out at this time he wasn't even registered to  
be an attorney in the Commonwealth of Pennslyvania. That was basically the end of  
our relationship until one day I called him to see if there was any money left on  
our retainer. He said there was five thousand left, I guess he actually felt bad  
or had any remorse for the gross negligence that he did.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

There are several practices that attorney Cook practiced that were unethical as well as violations of my civil rights:

1) Breach of Fiduciary Responsibilities

As counsel to our company, Attorney Cook purportedly counseled me to take actions to protect the company ( e.g. send records to the SEC, offer perjured testimony at an SEC hearings etc.) without informing me of my personal exposure or recommending that I seek personal counsel until after damage was done.

Attorney Cook urged me to offer perjured testimony to the SEC

Attorney Cook informed me that the extent of my exposure was a sanction and fine by the SEC.

2) Negligence

Attorney Cook failed to recognize and advise me of my potential exposure to criminal charges.

Attorney Cook urged me to attend a meeting with the F.B.I. at which he purportedly represented me in which he allowed me to provide false testimony which foreclosed any avenue of defense I might have had in a criminal proceeding.

It was not until a plea agreement was rendered by the F.B.I. and the AUSA suggested that I consult or look for criminal counsel.

3) Willful Negligence

Attorney Cook urged me to refrain from providing evidence or testimony regarding his due diligence services for our company regarding a secondary offering which may have implicated him in any action against us.

Attorney Cook wilfully failed and refused to disclose his conflicting interests in the proceedings.

Attorney Cook encouraged me to take actions which protected him while exposing me to a criminal prosecution.





outline).

- a) Defendants: \_\_\_\_\_
- b) Name of court and docket number: \_\_\_\_\_
- c) Disposition (for example, was the case dismissed , appealed or is it still pending?):  
\_\_\_\_\_
- d) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

- 2) Have you filed an action in federal court that was **dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?**  
\_\_\_ Yes XX No. If your answer is "Yes", describe each lawsuit. (If you had more than three actions dismissed based on the above reasons, describe the others on an additional page following the below outline.)

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: \_\_\_\_\_
- b) Name of court and case number: \_\_\_\_\_
- c) The case was dismissed because it was found to be (check one): \_\_\_\_\_ frivolous  
\_\_\_\_\_ malicious or \_\_\_\_\_ failed to state a claim upon which relief could be granted.
- d) Issues raised: \_\_\_\_\_  
\_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: \_\_\_\_\_
- b) Name of court and case number: \_\_\_\_\_

- c) The case was dismissed because it was found to be (check one): \_\_\_\_\_ frivolous  
\_\_\_\_\_ malicious or \_\_\_\_\_ failed to state a claim upon which relief could be granted.
- d) Issues raised: \_\_\_\_\_  
\_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: \_\_\_\_\_
- b) Name of court and case number: \_\_\_\_\_
- c) The case was dismissed because it was found to be (check one): \_\_\_\_\_ frivolous  
\_\_\_\_\_ malicious or \_\_\_\_\_ failed to state a claim upon which relief could be granted.
- d) Issues raised: \_\_\_\_\_  
\_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

- 3) Have you attempted to resolve the dispute stated in this action by seeking relief from the proper administrative officials, e.g., have you exhausted available administrative grievance procedures? \_\_\_\_ Yes XX No. If your answer is "No", did you not attempt administrative relief because the dispute involved the validity of a: (1) XX disciplinary hearing; (2) xx state or federal court decision; (3) xx state or federal law or regulation; (4) \_\_\_\_ parole board decision; or (5) \_\_\_\_ other \_\_\_\_\_.
- If your answer is "Yes", provide the following information. Grievance Number \_\_\_\_\_.
- Date and institution where grievance was filed \_\_\_\_\_.

Response to grievance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

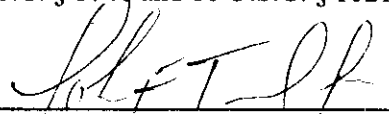
-----  
**E. REQUEST FOR RELIEF**

I believe that I am entitled to the following relief:  
What I am looking for is:

Client Reimbursement:	10,000,000.00
SEC Civil Suit :	3,000,000.00
Loss of Business & Future Earnings	3,000,000.00
Total:	\$16,000,000.00

I understand that a false statement or answer to any question in this complaint will subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

\_\_\_\_\_  
(Name of Person who prepared or helped  
prepare this complaint if not Plaintiff)

  
(Signature of Plaintiff)

\_\_\_\_\_  
January 20, 2008  
(Date)

-----  
(Additional space if needed; identify what is being continued)